

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

MDL No. 2804

*This document relates to:*

Case No. 1:17-md-2804

*All Cases Noted on Attached Appendix*

JUDGE DAN AARON POLSTER

**SECOND MASTER STIPULATION AND [PROPOSED] ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO WALMART NATIONAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Walmart Defendants<sup>1</sup> that, pursuant to the election of each Dismissing Plaintiff to participate in the Walmart Settlement Agreement, which is dated November 14, 2022, and is binding on the Dismissing Plaintiffs and the Walmart Defendants (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against any Walmart Defendant, including any entity identified on the attached Appendix C, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Walmart Settlement Agreement to the extent provided under that Agreement.<sup>2</sup>

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<sup>1</sup> The Released Entities are each and every entity of any of the Walmart Defendants that is a “Released Entity” as set forth in Section I.DDD and Exhibit J of the Walmart Settlement Agreement, dated as of November 14, 2022, a copy of which is attached as Appendix B. They include, but are not limited to, the entities listed on Appendix C, also attached hereto. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Walmart Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

<sup>2</sup> To the extent any Plaintiff Subdivision is inadvertently included on Appendix A, the Court retains jurisdiction to hear those disputes. In advance of raising any such issue with the Court,

Dated: February 22, 2024

Agreed as to form and substance:

Respectfully submitted,

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*Plaintiffs' Liaison Counsel*

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the Plaintiff Subdivision must meet and confer with defense counsel and Plaintiffs' Liaison Counsel.

**Walmart**

*/s/ Tina M. Tabacchi*

Tina M. Tabacchi

Tara A. Fumerton

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*Attorneys for Walmart Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 22, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

*s/Peter H. Weinberger* \_\_\_\_\_

Peter H. Weinberger

SO ORDERED this \_\_ day of \_\_\_\_\_, 2024.

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Hon. Dan Aaron Polster  
United States District Judge